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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,732	05/11/2001	David L. Huie	9326.001.00	4996

30827 7590 10/07/2003

MCKENNA LONG & ALDRIDGE LLP  
1900 K STREET, NW  
WASHINGTON, DC 20006

EXAMINER

KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 10/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/852,732

Applicant(s)

HUIE, DAVID L.

Examiner

Thjuan P Knowlin

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections – 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Bertacchi (US 5,790,638).
2. In regards to claims 1, 5, 11, 17, 20, 21, 25, and 28, Bertacchi discloses a call processing method for determining that a call has been call forwarded comprising: sending an initial address message having a redirection counter (counter 80) set to a maximum allowed value; receiving a message in response to the initial message; and analyzing the response message to determine if the call has been forwarded (col. 6 lines 47-67 and col. 8 lines 21-39).
3. In regards to claims 2 and 3, Bertacchi discloses the call processing method, further comprising initiating fraud prevention activity (col. 2-3 lines 62-3).
4. In regards to claim 4, Bertacchi discloses the call processing method, further comprising accessing a database (data base 20) to obtain information indicative of whether the call represents unauthorized use of a communications network (col. 3 lines 51-64).

5. In regards to claims 6, 7, 12, 13, 15, 16, 18, 19, 22, 23, 26, 27, 29, 30, and 31, Bertacchi discloses the call processing method, further comprising sending another initial address message having another redirection counter set to a predetermined value if it is undetermined whether the call has been forwarded as a result of the analyzing step (col. 7-8 lines 61-8).

6. In regards to claims 8, 9, 10, and 24, Bertacchi discloses the method of processing a call, comprising: determining whether the call is a forwarded call; responsive to a determination that the call is a forwarded call, preventing the call from being completed; and initiating fraud prevention activity (col. 7 lines 26-40).

7. In regards to claim 14, Bertacchi discloses the method of processing a call, comprising: determining whether a call is forwarded call; and responsive to a determination that the call is a forwarded, initiating fraud prevention activity in connection with processing the call (col. 2-3 lines 62-3 and col. 7 lines 26-40), wherein initiating fraud prevention activity comprises accessing a database to obtain information indicative of whether the call represents unauthorized use of a communications network (col. 3 lines 51-64).

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Clermont et al (US 5,828,729) teach an automated mass calling detection using CCS7 message parameters. Copley et al (US 6,456,708) teach a triggerless number portability system and method.

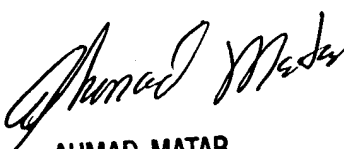
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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.

10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

11. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Thjuan P. Knowlin  
September 30, 2003

  
**AHMAD MATAR**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600  
10/1/03